

DISCLOSURE COMMUNICATIONS

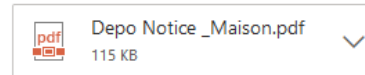
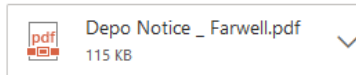


Paul Tomkins

Tue 10/19/2021 4:20 PM

To: joe@jcarbonarolaw.com

Bcc: Krishna Ika



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Joe,

Attached hereto please find electronic copies of Plaintiff's Notices of Deposition for Lawrence A. Farwell and Thierry A. Maison. The deposition dates and times were set as a "placeholder". We can discuss alternate dates, location(s) and methods for conducting depositions once your clients provide proposed dates.

Also attached please find electronic copies of Plaintiff's First Request for Production of Documents for Lawrence A. Farwell, Thierry A. Maison and Brain Fingerprinting Foundation.

Paul

Paul F. Tomkins

Corporate Counsel



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Southborough, MA 01772

Direct Dial: +1 607-221-1279

Email: ptomkins@brainwavescience.com

<http://brainwavescience.com/>

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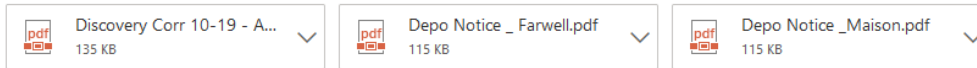
Fw: BWS v. Arshee et al - 21-cv-4402 (BMC) - Discovery and Depositions



Paul Tomkins

Thu 11/4/2021 11:36 AM

To: Joseph Carbonaro <joe@jcarbonarolaw.com>



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Joe,

By the below email dated October 19, 2021, I provided the attached Notices to take Depositions of Dr. Farwell and Dr. Maison. The notices provide for depositions to take place on November 11, 2021 at your office.

As indicated within the below email correspondence, I am amenable to discussing alternate dates, location(s) and methods for conducting depositions once your clients provide proposed dates. Please advise as to whether your clients are able to proceed with depositions on November 11, 2021. Alternatively, please advise as to their respective alternate date(s) of availability for same.

Thank you.

From: Joseph Carbonaro <joe@jcarbonarolaw.com>
Sent: Thursday, November 4, 2021 12:19 PM
To: Paul Tomkins <ptomkins@brainwavescience.com>
Subject: Re: BWS v. Arshee et al - 21-cv-4402 (BMC) - Discovery and Depositions

I'm out of the country until the 9th so I doubt the 11th will work. I'll get back to you.

Also on your motion I need more time to respond since I'm away.
Would you consent to an extension of one week?

Joseph W. Carbonaro, Esq.
CARBONARO LAW, PC
757 Third Avenue, 20th Floor
New York, New York 10017

T: 212.888.5200
T: 212.880.1535
F: 212.898.0394
E: joe@jcarbonarolaw.com

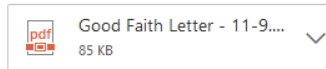
Westchester Office:
2 Overhill Road, 4th Floor
Scarsdale, New York 10583
T: 914.222.9141
F: 914.840.1298



Paul Tomkins

Tue 11/9/2021 10:16 AM

To: Joseph Carbonaro <joe@jcarbonarolaw.com>



Joe,

Per the attached, please advise as to your availability for a call tomorrow or Thursday. Thank you.

Paul

Paul F. Tomkins
Corporate Counsel



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Attorney Admissions: The author of this email is admitted to the New York State Supreme Court, Appellate Division (Reg. 4195632), United States Tax Court (Bar No. TP0171) and the United States Federal District Court (NDNY, Bar Roll No. 513006).



Paul Tomkins

Fri 12/3/2021 11:51 AM

To: Joseph Carbonaro <joe@jcarbonarolaw.com>

Bcc: Krishna Ika

Joe,

I and my client are available for zoom depositions on 12/27, 12/28, 12/29, 12/30 or 12/31. It was my understanding that you also had availability during this period. Please advise as to Dr. Farwell's date(s) of availability for his zoom deposition.

Paul

Paul F. Tomkins
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Joseph Carbonaro <joe@jcarbonarolaw.com>

Fri 12/3/2021 2:38 PM

To: Paul Tomkins

I'll reach out to Dr. Farwell and find out his availability.



From: Paul Tomkins <ptomkins@brainwavescience.com>



Paul Tomkins

Mon 12/27/2021 5:13 PM



To: Joseph Carbonaro <joe@jcarbonarolaw.com>

Thank you Joe. You do so as well.

Can we please get a deposition date for Dr. Farwell nailed down this week on the New York matter. Our scheduling order calls for depositions to be completed by 12/31. I can write up a revised stipulation if we need a few more weeks to get them accomplished but want to at least advise the Court that they have been scheduled when requesting this final extension.

Paul

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RE: Arshee



Joseph Carbonaro <joe@jcarbonarolaw.com>

Mon 12/27/2021 5:20 PM

To: Paul Tomkins



Paul, I understand your frustration. I will do my level best to get dates for this.

From: Paul Tomkins <ptomkins@brainwavescience.com>

Re: BWS adv. Arshee, Farwell, Maison, etc.



Paul Tomkins

Mon 1/31/2022 3:40 PM

To: Joseph Carbonaro <joe@jcarbonarolaw.com>



Joe,

Per Judge Cogan's Order, fact discovery on this matter closes in less than 30 days (2/22/22).

When can we expect to receive responses to our disclosure requests served more than ninety days ago (10/19/21)? You were sent reminders regarding same in November and December 2021.

We also need to schedule depositions in both the state and federal matters immediately. To date, our deposition notices and follow up emails have been ignored by your client.

Paul

Paul F. Tomkins
Corporate Counsel



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Paul Tomkins

Thu 2/3/2022 5:48 PM

To: Joseph Carbonaro <joe@jcarbonarolaw.com>



Joe,

I don't believe we have been served with a notice to take deposition of Mr. Ika in either matter. Mr. Ika has definite availability on 2/18 for a video deposition.

Again, please advise as to the status of our disclosure requests in the Federal matter. They are now more than two months overdue.

Also please advise as to your clients' availability for depositions. As our email correspondence will reflect, we have requested this information on numerous occasions.

Paul

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